

PATENT

Customer No. 22,852

Attorney Docket No. 03419.0023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Satoshi SAITO et al.) Group Art Unit: Not Assigned
)
Serial No.: 10/507,129) Examiner: Not Assigned
)
Filed: September 10, 2004) Confirmation No.: Not Assigned
)
For: METHOD OF CONTROLLING)
ETHANOL PRODUCTION AND)
MASS PRODUCTION OF LACTIC)
ACID AND TRANSFORMANT)
THEREFOR)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS AND NOTICE TO
COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCES**

In response to the communication dated February 11, 2005, Applicants submit a Declaration/Power of Attorney for filing in this application, the required fee of \$130.00, a computer readable form of the Sequence Listing, a paper copy of the Sequence Listing, a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing in this application, and a copy of the Notice of Missing Requirements.

The sequences of the computer readable form and the paper copy are identical to the sequences originally filed.

04/13/2005 SHAJARRO 00000135 10507129

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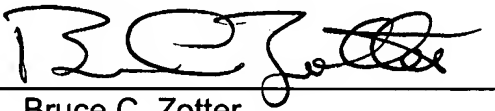
Please associate the enclosed documents with the application, grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 11, 2005

By: 
Bruce C. Zotter
Reg. No. 27,680

PCT #

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/507,129	Satoshi Saito	03419.0023-00

INTERNATIONAL APPLICATION NO.

PCT/JP03/02833

I.A. FILING DATE

03/11/2003

PRIORITY DATE

03/11/2002

22852
 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
 LLP
 901 NEW YORK AVENUE, NW
 WASHINGTON, DC 20001-4413

CONFIRMATION NO. 8898

371 FORMALITIES LETTER



OC000000015161510

Date Mailed: 02/11/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/10/2004
- English Translation of the IA filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Information Disclosure Statements filed on 09/10/2004
- Biochemical Sequence Listing filed on 09/10/2004
- U.S. Basic National Fees filed on 09/10/2004
- Priority Documents filed on 09/10/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

RECEIVED

FEB 16 2005

FILED IN THE OFFICE OF THE
 COMMISSIONER FOR PATENTS

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
 - APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,129	PCT/JP03/02833	03419.0023-00